

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CITIZENS FOR COMMUNITY VALUES, INC.,	:	
	:	
	:	Case No. 2:08-cv-00223-GCS-NMK
Plaintiff,	:	
	:	Judge George C. Smith
vs.	:	Magistrate Judge Norah McCann King
	:	
	:	
UPPER ARLINGTON PUBLIC LIBRARY BOARD OF TRUSTEES,	:	
	:	
Defendant.	:	

**SUPPLEMENTAL DECLARATION OF DAVID R. LANGDON IN SUPPORT OF
PLAINTIFF’S MOTION FOR ATTORNEYS FEES AND NON-TAXABLE COSTS**

Pursuant to 28 U.S.C. § 1746, I, David R. Langdon, Esq., declare the following:

1. The matters declared herein are based upon my own personal knowledge.
2. This Supplemental Declaration is filed to demonstrate the reasonableness of the number of hours incurred by my firm on behalf of Plaintiff since September 26, 2008, when the Memorandum of Points and Authorities in Support of Plaintiff’s Motion for Attorney Fees was filed, and to clarify certain time entries which may not have contained sufficient detail to allow the Court to determined the reasonableness of the hours I worked on this matter on behalf of Plaintiff.
3. The additional details that I have added to my updated timesheet are shown in red and underlined. My updated timesheet is attached as Exhibit A to this Supplemental Declaration.

4. The updated timesheet is based on contemporaneous time records that I kept as I worked on each task, and also based on notes in the case file. For example, on February 28, 2008, I had a meeting with David Miller of CCV and Doug Napier of ADF. On my original timesheet, I did not identify the substance of my discussion with Messrs. Miller and Napier. Based on memory of the meeting and my notes, I have included additional detail on my updated timesheet about the meeting.

5. The changes to my time entries on February 29 (reduced by 0.1 for work on unbillable internal media issues), March 6 (reduced by 1.2, for work more appropriately performed by a paralegal), May 9 (reduced by 0.1), August 14 (reduced by 0.4) and August 25 (reduced by 0.1) reflect my agreement with the Library that these matters are not properly billed to the Library.

6. As reflected on the updated timesheet, I personally spent a total of 62.3 hours in furtherance of the excellent results obtained in this litigation on behalf of our client. That total includes the 51.0 hours from my original timesheet (reduced from 52.9 for reasons indicated in paragraph 5, above), plus 11.3 hours that I spent since September 26, most of which was spent working on Plaintiff's reply memorandum in support of its motion for attorney fees and this Supplemental Declaration.

7. When multiplied by my hourly rate of \$285.00, the total amount of attorney fees for which I personally seek recovery is \$17,755.50.

8. In addition to attorney fees, our firm has incurred out-of-pocket litigation expenses in the amount of \$176.31 (\$144.46 from original timesheet and \$31.85 for our work since September 26). (See Exhibit A.)

9. I have reviewed Plaintiff's Reply Memorandum (and, in particular, the factual allegations in Section I of the Memorandum, responding to the Library's unfounded assertion that the whole case was a setup), and all of the facts asserted therein are true and accurate.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 12th day of November, 2008.

/s/ David R. Langdon
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CERTIFICATE OF SERVICE

I hereby certify that on November 12, 2008, I electronically submitted the foregoing document with the Clerk of Court using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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